

MAY 28 2024 AM 11:05
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

PATRICIA A DAVIDSON	§	JURY TRIAL DEMANDED
<i>PLAINTIFF,</i>	§	
V	§	
	§	Case No.: 4:24-CV-00362
CREDIT CORP SOLUTIONS, IN	§	
<i>DEFENDANT,</i>	§	
	§	

MOTION TO STRIKE CREDIT CORP SOLUTIONS INC. AFFIRMATIVE DEFENSES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiffs Patricia A. Davidson and files this Motion to Strike Defendants affirmative defenses raised by the Defendant Credit Corp Solutions Inc. in complaint filed under case 4:24-CV-00362. The defenses are Insufficient, irrelevant, and do not meet the legal standards.

1.On May 23, 2024 Defendant filed an answer that denied all of the Plaintiffs Allegations and asserted six affirmative defenses. The Defenses are irrelevant and do not meet legal standards.

ARGUMENT

2.Defendant First affirmative pleads, Plaintiff has failed to state a claim upon which Relief can be granted.

3. Defendant First affirmative is legally insufficient because the complaint states a claim
For which relief can be granted as it meets all necessary elements.
4. Defendant second affirmative defense pleads claims may be barred by the statue of
Limitations.
5. Defendant second affirmative defense is frivolous based upon 15 U.S.C§ 1681 states
within Two year from the date of discovery of violation and Five years from
occurrence of violation. Defendants Credit Corp Solutions Inc accessed Plaintiff
consumer report twelve different dates between July 22, 2023 and March 01,2024.
6. Defendant Third affirmative defense pleads Plaintiff failed to mitigate any damages
Which Plaintiff may have suffered.
7. Defendant Third affirmative defense is Baseless because complaint clearly states
Damages. *Guimond v. Transunion* Credit information Co.(1995); The ninth
Circuit held that plaintiff could recover for emotional distress without showing out of
Pocket expenses.
8. Defendant Fourth affirmative pleads Plaintiff suffered no ascertainable loss of money or
Property.
9. Defendant Fourth affirmative is ludicrous being that Plaintiff was out of pocket
For filing fee, plaintiff time, loss of sleep, hours of researching information and
Expenses for obtaining documents.
10. Defendant fifth affirmative pleads Plaintiff suffered no compensable damages.
11. Defendant fifth affirmative is repetitive because its equivalent to defendant third
Affirmative defense
12. Defendant sixth affirmative pleads Defendant Simm respectfully reserves the right to
Assert any additional affirmative.
13. Defendant sixth affirmative is Bona Fide according to case 4:24-CV-0362 with
Plaintiff name being Patricia A Davidson and Credit Corp Solutions Inc Defendant.

PRAYER

WHEREFORE Plaintiff prays that under Rule 12(f) of the Federal Rules of Civil Procedure, this court strike Defendant six Affirmative Defenses as Conclusory, boilerplate. Which are absent and factual support, and any such relief to which Plaintiff may be entitled.

Respectfully Submitted:

May 28, 2024

Patricia A. Davidson



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Plaintiff Pro Se

Certificate of Service

I hereby certify that on date May 28, 2024, I served a true and correct copy of the following documents Plaintiff Patricia A. Davidson Motion to strike affirmative defense and Certificate of Interest Persons/ disclosure form. Statement was served upon Defendants Credit Corp Solutions Inc. United States mail, postage prepaid and email As indicated below:

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